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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-----------------|----------------------|---------------------|------------------|
| 10/084,453 | 02/28/2002 | Lingiu Cao | 219425US0 | 4985 |
| 22850 | 7590 06/24/2004 | | EXAMINER | |
| OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET | | | TRAN. THAO T | |
| | RIA, VA 22314 | | ART UNIT | PAPER NUMBER |
| | | | 1711 | |

DATE MAILED: 06/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary 10/084,453 | | | |
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| Examiner | | Application No. | Applicant(s) |
| Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. If the period for reply secretic me her aibing date of this communication. If the period for reply secretic dates, the mention status protein of apply and val origins (50), MONTH'S from the realing date of this communication. If the period for reply secretic dates, the mention status protein of apply and val origins (50), MONTH'S from the realing date of this communication, even if timely field set of the communication and the reply secretic date of the communication, even if timely field, may reduce any value of the communication. Set of CFR 1.704(b). Status 1) Sepansity to communication (s) filed on 11 March 2004. 2a) This action is FinAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-12 and 14-19 is/are pending in the application. 4a) Of the above claim(s) sizer epending in the application. 4a) Of the above claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) 1-12 and 14-19 are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) cocepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.25(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oration of declaration is objected to by the Examiner. Note the attached Office Action or for | Office Asticus Com | 10/084,453 | CAO ET AL. |
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Application/Control Number: 10/084,453

Art Unit: 1711

DETAILED ACTION

Response to Amendment

- 1. This is in response to the Amendments received on March 11, 2004.
- 2. Claims 1-12 and 14-19 are currently pending in this application. Claim 13 has been canceled. Claims 14-19 have been newly added.
- 3. Upon further consideration, a Restriction requirement is made as follows:

Election/Restrictions

- 4. This application contains claims directed to the following patentably distinct species of the claimed invention:
 - (a) a method for the preparation of crosslinked enzyme aggregates;
 - (b) a method of crosslinking a protein to a carrier.
- 5. Should species (a) be elected, claims 1-12 and 14-17 would be grouped together.

 Should species (b) be elected, claims 18-19 would be grouped together.
- 6. Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.
- 7. Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

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Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

8. A telephone call was made to Mr. Harris Pitlick on June 18, 2004 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

9. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Art Unit: 1711

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thao T. Tran whose telephone number is 571-272-1080. The examiner can normally be reached on Monday-Friday, from 8:30 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on 571-272-1078. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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June 18, 2004